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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--------------------------|-------------|----------------------|---------------------|------------------|
| 10/630,821 | 07/29/2003 | Clint Low | 3469 | 8151 |
| 27727 | 7590 | 07/01/2004 | EXAMINER | |
| PEDERSEN & COMPANY, PLLC | | | BASINGER, SHERMAN D | |
| P.O. BOX 2666 | | | ART UNIT | PAPER NUMBER |
| BOISE, ID 83701 | | | 3617 | |

DATE MAILED: 07/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|---------------------|--------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/630,821 | LOW, CLINT |
| | Examiner | Art Unit |
| | Sherman D. Basinger | 3617 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 7-20 is/are allowed.
- 6) Claim(s) 1 and 5 is/are rejected.
- 7) Claim(s) 2-4 and 6 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 29 July 2003 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/11/04.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "62" has been used to designate both the sheath and the lower corner of float 20 (see page 5 of the specification, lines 9 and 18; see also figure 2). Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities: on page 8 of the specification, line 19, "84" should be corrected to --94--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 3617

4. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Holmes.

Holmes discloses an anchor raising device comprising:

an anchor connection system connecting an anchor to a watercraft (see figure 2), said system

comprising a line 21 connected to said anchor 16 at its first end and to said watercraft 12A at its second end;

and

a compressed gas hose 23; and

an inflatable container 22 integrally extending from the anchor connection system so that

one outer edge of said inflatable container is integral with the anchor connection system;

wherein said compressed gas hose is pneumatically connected to said inflatable container.

The outer edge of container 22 is integral with the anchor connection through the remainder of the container and the rod 24.

5. Claims 1 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Jelpo.

Jelpo discloses an anchor raising device comprising:

an anchor connection system connecting an anchor to a watercraft (see figure 1), said system

comprising a line 11, 10, 9 and 7 connected to said anchor 8 at its first end and to said watercraft (see "vessel" of page 1, line 60) at its second end;

and

a compressed gas hose 12, 13; and

an inflatable container 1 integrally extending from the anchor connection system so that one outer edge (bars 4) of said inflatable container is integral with the anchor connection system;

wherein said compressed gas hose is pneumatically connected to said inflatable container.

The inflatable inner bladder is 1 and the outer housing is 2.

Allowable Subject Matter

6. Claims 7-20 are allowed.
7. Claims 2-4 and 6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
8. The following is a statement of reasons for the indication of allowable subject matter: Claim 2, claim 12 and the claims depending from claim 12 are indicated as containing allowable subject matter because neither Jelpo nor Holmes disclose a sheath enclosing the line and the gas hose, wherein the gas hose is not attached to the line or the sheath. Chelminski is cited to show the protective sheath 15. With regard to Chelminski and Holmes, motivation to provide a sheath similar to 15 of Chelminski to enclose the line 21 and hose 23 of Holmes with the gas hose not being attached to the

line or the sheath is lacking in view of clamp 25 of Holmes attaching the hose 23 to the line 21. With regard to Chelminski and Jelpo, the spacing of hoses 12 and 13 and line 11 of Jelpo would make it unreasonable to provide a sheathing similar to 15 of Chelminski to enclose the line and hose.

Claims 3 and 4 are indicated as containing allowable subject matter because neither Jelpo nor Holmes taken alone or in combination with Rinne, which shows the inflatable bags as being rolled, nor Schaller, which shows device 10 with VELCRO patch 18 for attaching electronic signals being rolled, teach or fairly suggest one or more first hook-and-loop pieces on a front surface of said inflatable container, and one or more second hook-and-loop pieces on a back surface of said inflatable container,

wherein each of said first hook-and-loop pieces cooperates with one or more of said second hook-and-loop pieces to attach to each other when said inflatable container is rolled up to

the outer edge of the container to form a generally cylindrical shape adjacent to the connection system.

Claim 6 is indicated as containing allowable subject matter because Jelpo does not teach or fairly suggest that there is an interior space between the outer housing 2 and the inner bladder 1, and

That the outer housing has one or more apertures between the interior space and the exterior

of the outer housing adapted to allow water to flow out of said interior space through the apertures.

Claim 7 and the claims depending therefrom are allowed because neither Jelpo nor Holmes taken alone or in combination with either of Chelminski, Schaller or Rinne teach or fairly suggest the limitations in claim 7 of a flexible sheath containing said line and said gas hose, an inflatable container attached to said anchor connection system near said anchor, wherein said inflatable container securely rolls up to near said anchor connection system and wherein said inflatable container will remain rolled up until inflated through said gas hose.

Claim 15 and the claims depending therefrom are indicated as containing allowable subject matter because neither Jelpo nor Holmes taken alone or in combination with any of the other prior art of record teach or fairly suggest a flexible sheath containing said line and said compressed gas hose and one or more openings in said sheath where said line exits and reenters said sheath forming a loop outside of said sheath, said loop being for connection to the watercraft.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherman D. Basinger whose telephone number is 703-308-1139. The examiner can normally be reached on M-F (6:00-2:30 ET).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Samuel J. Morano can be reached on 703-308-0230. The fax phone

number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Sherman D. Basinger
Primary Examiner
Art Unit 3617


sdb
6/24/04